

Date : 2/28/2004 Time : 2:19:02 PM

To : Commissioner for Patents

Fax Number : 17038729306

Company : United States Patent and

Pages : 3

Subject : 37 CFR 1.56 Disclosure

Law Office of Philip A Steiner

Tel: (805) 549-8877

Fax: (805) 549-8866

slolawfirm@pacbell.net

## FACSIMILE COVER PAGE

## MESSAGE:

Hon. Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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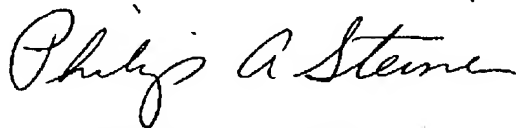
OFFICIAL

Dear Sir,

Please find enclosed correspondence related to the following patent references;

s/n 09/940,301, 10/368,501, 10/697,666 and 10/697,667. The enclosed correspondence is provided under the duty of disclosure requirements of 37 CFR 1.56 and 37 CFR 10.0 et seq.

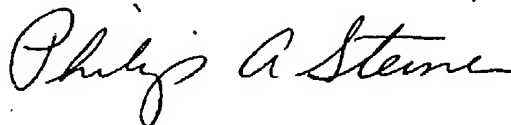
Best regards,



Philip A Steiner, reg. no. 47,967

I hereby certify that this correspondence is being transmitted by Facsimile to the United States Patent and Trademark Office on February 28, 2004.

By: Philip A Steiner



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1 Law Office of Philip A Steiner  
2 846 Higuera Street, Suite 11  
3 San Luis Obispo, CA 934301  
4 (805) 549-8877

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

5 In Re: US patent 6,672,933 ) Duty of Disclosure under 37 CFR 1.56  
6 US patent 6,688,940 )  
7 US application 10/697,666 ) Ethical duties under 37 CFR 10 et  
8 US application 10/697,667 ) seq.

February 28, 2004

Hon. Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

14 I, Philip A Steiner, am the original counsel of record for US patent  
15 applications, 09/940,361 (now patent 6,688,940), 10/368,501 (now US patent  
16 6,672,933), 10/697,666 and 10/697,667, have recently been made aware of  
17 potentially relevant information which could impact the patentability of the  
18 above cited references based on 35 USC 102(b). The information recently  
19 disclosed by the inventor, John Stanier, related to a use of a basic concept  
20 of the invention in a commercial (video production) about 10 years ago.

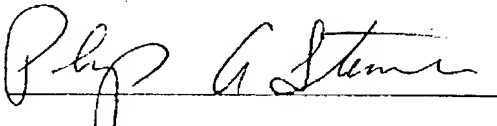
21 Original counsel of record had requested that Mr. Stanier attempt to  
22 obtain a copy of the commercial for review and submittal to the USPTO. The  
23 omission of this information was made without deceptive intent by original  
24 counsel of record. Furthermore, original counsel of record does not believe  
25 there was any deceptive intent on the part of the inventor, Mr. John Stanier.

Disclosure - 1

1 Lastly, original counsel of record has since been discharged by the  
2 inventor and is therefore no longer in a position to remedy this omission.  
3 The replacement counsel of record is now;

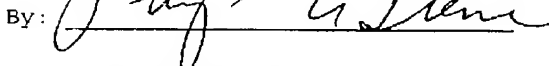
4  
5 Glen Kubota, reg.no. 44,197  
6 c/o Morrison and Foerster, LLP  
7 555 West Fifth Street, Suite 3500  
8 Los Angeles, California 90013-1024  
9 (213) 892-5752  
10 (213) 892-5454 (Fax)  
11 gkubota@mofo.com

12 Respectfully submitted this date of Feb 28, 2004

13   
14 Philip A Steiner, reg. No. 47,967

15 Law Office of Philip A Steiner  
16 846 Higuera Street, Suite 11  
17 San Luis Obispo, CA 93401  
18 (805) 549-8877  
19 (805) 549-8866 (Fax)  
20 slolawfirm@pacbell.net

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22 to the United States Patent and Trademark Office on February 28, 2004.

23 By:   
24 Philip A Steiner

25  
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